

Appl No. 10/071,786  
Response dated April 26, 2004  
Reply to Office Action of 04 Nov. 2002

### REMARKS

This is in response to the Office Action of November 4, 2002. In the Office Action, the Examiner rejected claims 1-10. However, the Examiner rejected claims 3-6 and 10, indicating that they would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims.

Claims 1, 3, 4, 5, 7 and 10 have been rewritten and are believed allowable. Claims 3-6 and 10 have been amended to overcome the rejections under section 112.

The Examiner rejected claims 1 and 7-9 under 35 U.S.C. § 102(b) as anticipated by Francesco. In that rejection, the Examiner comments that Francesco discloses a toggle bolt device that includes an elongated body 41, a shaft extending through the body, plural locking members 24 that are attached to the shaft and are movable to extend outwardly upon rotation of the shaft and a nut that is connected to the body at a threaded portion of the body.

Claim 1 has been amended to point out that each of the locking members varies in thickness. This variable thickness can be seen in figures 4, 4A, 5, 7 and 8. Francesco does not show such a variable thickness pin. In Francesco, the pins 24 are shown in figures 1, 3 and 4 as being of substantially the same cross section throughout.

Reconsideration and Notice of Allowance is respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Appl No. 10/071,786  
Response dated April 26, 2004  
Reply to Office Action of 04 Nov. 2002

**Enclosed is our Check No. 8859 in the amount of \$665.00.** However, if this amount is insufficient, please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



Charles C. Garvey, Jr., Reg. No. 27,889  
Gregory C. Smith, Reg. No. 29,441  
Seth M. Nehrbass, Reg. No. 31,281  
Stephen R. Doody, Reg. No. 29,062  
Brett A. North, Reg. No. 42,040  
GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.  
**PTO Customer No. 22920**  
3838 N. Causeway Blvd., Suite 3290  
Metairie, LA 70002  
Tel.: (504) 835-2000  
Fax: 504-835-2070  
e-mail: [IPLNO@AOL.COM](mailto:IPLNO@AOL.COM)  
[www.neworleanspatents.com](http://www.neworleanspatents.com)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of April, 2004.

